



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,260	07/17/2003	Blake Rice	12020.1USC1	4221

7590 01/26/2005

John C. Reich
MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903

EXAMINER

TIEU, BENNY QUOC

ART UNIT	PAPER NUMBER
----------	--------------

2642

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/622,260	Applicant(s) RICE, BLAKE	
	Examiner Benny Q. Tieu	Art Unit 2642	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 18-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 18-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Terminal Disclaimer

1. The terminal disclaimer filed on 11/26/2004 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US Patent No. 6,621,900 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Claim 4 recites the limitation "the first and second-level call-handling station" in line 3. There is insufficient antecedent basis for this limitation in the claim because the word "level" has never been defined in its independent claim 1.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 2642

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 4-6 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Gawrys et al. (U.S. Patent No. 5,008,930).

Regarding claim 1, Gawrys et al. teach a system for routing telephone calls between call-handling stations, the system comprising:

a dialer configured to place a telephone call (Fig. 5, 11);

a first and a second hunt group (Fig. 5, 13 & 13₁) in electrical communication with the dialer arranged to route the telephone call placed by the dialer upon receiving a call routing signal (a request for transfer from Agent 1 to Agent 2); and

a first and second call-handling station (Fig. 5, 14₁ & 14₂), the first call-handling station being in electrical connection with the first hunt group, the second call-handling station being in electrical connection with the second hunt group, wherein at least one of the first and the second call-handling stations is located at a site remote from the dialer (column 10, line 12 through column 11, line 5).

Regarding claim 4, Gawrys et al. further teach the system wherein the dialer and the first and second hunt groups is remotely located from the first and the second call-handling station (column 10, lines 54-57).

Regarding claim 5, Gawrys et al. inherently teach the system wherein the remote location is connected via a media because the agent terminal is capable for voice and data call.

Regarding claim 6, Gawrys et al. inherently teach the system comprising a server, a router and a multiplexor for providing voice and data transfer because the system enables Agent 1 to transfer a voice call and related data to Agent 2.

Art Unit: 2642

Regarding claim 18, Gawrys et al. teach a method for routing telephone calls between hunt groups, the method comprising:

routing call information to a first hunt group (information of the caller is received by Agent 1);

generating a routing signal (Agent 1 wants to transfer the call);

automatically routing the call information to a second hunt group in response to the routing signal (the caller information is transfer to Agent 2, see Fig. 5).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 2, 3 and 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gawrys et al.

Regarding claim 2, Gawrys fails to teach the system wherein the dialer and the first and second hunt groups are a unitary unit. However, it would have been obvious to one of skilled person in the art to combine these elements into a unitary unit.

Regarding claims 3 and 19-22, Gawrys fails to teach the system wherein the telephone call is automatically routed to both the first and second hunt groups. However, this feature is well known in the art. For example, a call is routed to a first hunt group and the first hunt group is overload, the call would be automatically routed to a second hunt group where an available

Art Unit: 2642

agent is ready to serve the call. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of automatically route a call as well known in the art into the system as disclosed by Gawrys in order to connect the call to an available agent between the hunt groups for faster service.

Conclusion

9. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

OR Hand-delivered responses should be brought to:

220 South 20th Street

Crystal Plaza Two, Lobby, Room 1B03

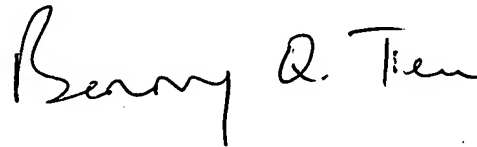
Arlington, VA 22202.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benny Q. Tieu whose telephone number is (703) 305-2360. The examiner can normally be reached on Monday-Friday: 6:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2642

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, reading "Benny Q. Tieu". The signature is fluid and cursive, with the first name "Benny" being more prominent than the last name "Tieu".

BENNY TIEU
PRIMARY EXAMINER

Art Unit 2642
January 17, 2005